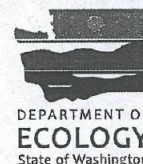




State of Washington
Department of Ecology
SUPERSEDING
CERTIFICATE OF WATER RIGHT



This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.

This certificate supersedes Walla Walla Adjudicated Surface Water Certificate 862 issued on November 14, 1929, together with Certificate of Change, Volume 1, Page 482 issued on October 31, 1956 and is subject to the following provisions.

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
1926 (Class 64)			Walla Walla River Adjudicated Certificate No. 862

MAILING ADDRESS

Michael Buckley
11537 West Highway 12
Walla Walla, WA 99362

Quantity Authorized for Diversion

DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
0.60	CFS	150

Purpose

PURPOSE	DIVERSION RATE	ANNUAL QUANTITY (AF/YR)
Irrigation	0.4 CFS from 04/01 to 07/01	150
	0.3 CFS from 07/01 to 10/01	
	0.6 CFS from 10/1 to 04/01*	

*when allowed in accordance with the Walla Walla Adjudication

IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
ADDITIVE	NON-ADDITIVE	WATER SYSTEM ID	CONNECTIONS
30			

Source Limitations

SOURCE FACILITY/DEVICE	PERIOD OF USE
1) Diversion	June - February
2) Diversion	March - May

SUPERSEDING CERTIFICATE OF WATER RIGHT
ECY 040-1-2

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WWRAC 862

Source Location			
COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Walla Walla	Walla Walla River	Columbia River	32-WALLA WALLA

SOURCE FACILITY/DEVICE	PARCEL	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Diversion No. 1	340735220002	7N	34E	35	SE¼NW¼	46.0430	-118.5255
Diversion No. 2	340729440005	7N	34E	29	SE¼SE¼	46.0495	-118.5870

Datum: NAD83/WGS84

Diversion No. 1) 2200 feet east and 500 feet north from the W¼ corner of Sec. 35
Diversion No. 2) 500 feet North and 1900 feet East from the S¼ corner of Sec. 29

Place of Use
PARCELS (NOT LISTED FOR SERVICE AREAS)
340732510009, 340729510006, 340729440005
LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Beginning on the south line of the Louis Dauneu Donation Claim No. 38 a distance of 1,000 feet east of the southwest corner thereof: thence north parallel to the west line thereof 2,167.2 feet; thence east parallel to the said south line 613 feet; thence south to the south line to a point 613 feet east of the beginning; thence west along said south line 613 feet to the place of beginning, being a part of Section 33, Township 7 N., Range 34 E.W.M. Located in the Louis Dauneu Donation Claim No. 38, Section 29, T. 7 N., R. 34 E.W.M., Walla Walla County

Beginning on the southwest corner of the Louis Dauneu Donation Claim No. 38; thence east on the south line thereof to a point 1,000 feet east of said southwest corner; thence north at right angles 4,114 feet to a point to the intersection of the Walla Walla River; thence meandering northerly and westerly along said Walla Walla River to a point where the river intersects the west line of said Dauneu Donation Claim, which point is 4,482 feet north of the said southwest corner; thence south on the west line of said claim a distance of 4,482 feet to the point of beginning. Also, that part of Lot 2 lying south of the Walla Walla River, said lot being situated in Section 29, T. 7 N., R. 34 E.W.M., located in the Louis Dauneu Donation Claim No. 38, Section 29, T. 7 N., R. 34 E.W.M., Walla Walla County

Measurement of Water Use	
How often must water use be measured?	Weekly
How often must water use data be reported to Ecology?	Annually (Jan 31)
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal

Provisions

Measurements, Monitoring, Metering and Reporting

An approved measuring device must be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use",

WAC 173-173, which describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Eastern Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Eastern Regional Office for forms to submit your water use data.

Department of Fish and Wildlife Requirement(s)

The intake(s) must be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria. <http://wdfw.wa.gov/about/contact/>

Easement and Right-of-Way

The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right change authorization by this department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

Water Use Efficiency

Use of water under this authorization will be contingent upon the water right holder's maintenance of efficient water delivery systems and use of up-to-date water conservation practices consistent with established regulation requirements and facility capabilities.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, will have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

General Provisions

When the supply of water for irrigation purposes from April 1 to October 1 is insufficient in the Walla Walla Valley to fill any right contained in the foregoing schedule (4.2 acre-feet per acre), the owner of such right is entitled to divert water during the period of October 1 to April 1 (up to 5 acre-feet per acre).

By virtue of the decree in the case of the Lowden Co. et al. vs. the Walla Walla Irrigation Co., records of the above-entitled court, this right is prior to that of the Walla Walla Irrigation Co. in Class 30 of the decree referred to in line 1 of this certificate. This references Walla Walla Adjudicated Certificate No. 406, currently owned by Gardena Irrigation District.

Ground Water Certificate Nos. 7157-A and G3-27042C shall be less any water diverted under Walla Walla Adjudicated Certificate No. 862.

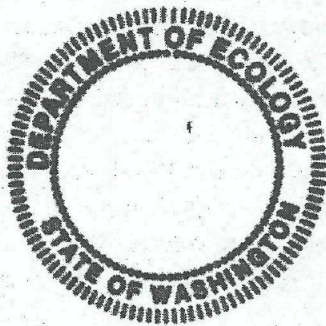
Surface Water Certificate Nos. 862 and 1748 shall be limited to 2.0 cfs from April 1 to July 1, 1.3 cfs from July 1 to October 1, when allowed, 2.6 cfs October 1 to April 1; 545 acre-feet for the irrigation of 124 acres.

The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used.

The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.100.

This certificate of water right is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW.

Given under my hand and the seal of this office at Spokane, Washington, this 27th day of March, 2012.



Ted Sturdevant, Director
Department of Ecology

DATA REVIEW
OK

A handwritten signature in black ink, appearing to read "Keith L. Stoffel", written over a horizontal line.

Keith L. Stoffel, Section Manager
Eastern Regional Office
Water Resources Program

If you need this document in an alternate format, please call the Water Resources Program at 360-407-6872. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.